

FILED: April 21, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-2130 (L)
(8:18-cv-00883-PWG)

In re: CIGAR ASSOCIATION OF AMERICA; CIGAR RIGHTS OF AMERICA;
PREMIUM CIGAR ASSOCIATION, f/k/a International Premium Cigar and Pipe
Retailers Association

Appellants

AMERICAN ACADEMY OF PEDIATRICS; MARYLAND CHAPTER-
AMERICAN ACADEMY OF PEDIATRICS; AMERICAN CANCER SOCIETY
CANCER ACTION NETWORK; AMERICAN HEART ASSOCIATION;
AMERICAN LUNG ASSOCIATION; CAMPAIGN FOR TOBACCO-FREE
KIDS; TRUTH INITIATIVE; DR. LEAH BRASCH, MD; DR. CYNTHIA
FISHMAN, MD; DR. LINDA GOLDSTEIN, MD; DR. STEVEN HIRSCH, MD;
DR. DAVID MYLES, MD

Plaintiffs - Appellees

v.

UNITED STATES FOOD AND DRUG ADMINISTRATION; NORMAN E.
SHARPLESS, in his official capacity as Acting Commissioner of Food and
Drugs; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
SERVICES; ALEX M. AZAR, II, in his Official capacity as Secretary of Health
and Human Services

Defendants

STATE OF MARYLAND; MARYLAND ASSOCIATION OF COUNTY
HEALTH OFFICERS

Amici Supporting Appellees

O R D E R

This case was orally argued March 18, 2020.

Upon consideration of the government's unopposed motion for remand after an indicative ruling by the district court, the court grants the motion and remands this case to the district court for further proceedings.

The clerk shall forward a copy of this order, accompanied by a copy of the motion to remand, to the district court. This appeal shall remain on the active docket of this court and the parties shall file a status report on May 21, 2020, and every 30 days thereafter, and shall immediately notify this court when the district court proceedings have concluded.

For the Court

/s/ Patricia S. Connor, Clerk